

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

HIERARCHICAL RESOURCE MANAGEMENT FOR A COMPUTING UTILITY

1. the specification of which (check one)

 is attached hereto.

X was filed on January 30, 2004 as United States Application Number

or PCT International Application Number PCT/US2004/002696

and was amended on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application, having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed
<u> </u> (Number)	<u> </u> (Country)	<u> </u> (Day/Month/Year Filed)	<u> </u> Yes <u> </u> No
<u> </u> (Number)	<u> </u> (Country)	<u> </u> (Day/Month/Year Filed)	<u> </u> Yes <u> </u> No
<u> </u> (Number)	<u> </u> (Country)	<u> </u> (Day/Month/Year Filed)	<u> </u> Yes <u> </u> No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

<u> </u> (Application Number)	<u> </u> (Filing Date)
<u> </u> (Application Number)	<u> </u> (Filing Date)

I hereby claim the benefit under 35 U.S.C. §120 of any United States Application(s), or §365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States, or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information material to the patentability of this application as defined in 37 CFR §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u> </u> (Application Serial No.)	<u> </u> (Filing Date)	<u> </u> (Status) (patented, pending, abandoned)
<u> </u> (Application Serial No.)	<u> </u> (Filing Date)	<u> </u> (Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number).

Customer No. 0877

Send Correspondence to: Customer No. 0877

Direct Telephone Calls to: (name and telephone number) Louis P. Kerzberg (914) 945-2885

TAMAR EILAM

Full name of first inventor

Tamar Eilam

Inventor's Signature

Date

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Residence

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Citizenship

Same as above

Post Office Address

GUERNEY D.H. HUNT

Full name of second inventor

Guerney D.H. Hunt

Inventor's Signature

Date

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Residence

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Citizenship

Same as above

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SANDRA D. MILLER

Full name of third inventor

Inventor's Signature

Date

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Residence

USA

Citizenship

Same as above

Post Office Address

LILY B. MUMMERT

Full name of fourth inventor

Lily B. Mummert

Inventor's Signature

Date

18 Dreps Drive, Mahopac, New York 10541

Residence

USA

Citizenship

Same as above

Post Office Address

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HIERARCHICAL RESOURCE MANAGEMENT FOR A COMPUTING UTILITY

1. the specification of which (check one)

is attached hereto.

☒ was filed on January 30, 2004 as United States Application Numberor PCT International Application Number PCT/US2004/002636

and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application, having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

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_____ (Application Number)	_____ (Filing Date)

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_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Customer No. 0877

Docket No. YOR920030587PCT

Send Correspondence to: Customer No. 0877

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TAMAR EILAM

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SANDRA D. MILLER

Full name of third inventor

Sandra D. Miller _____ 7-28-04
Inventor's Signature _____ Date

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LILY B. MUMMERT

Full name of fourth inventor

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